

CLEAN AIR ACT7-6-A. Administrative Enforcement Actions: Issuance of Complaints and Orders,
and Signing of Consent Agreements, etc.**1. AUTHORITY.**

- a. To make findings of violation, to issue notices of violation, to issue orders, to issue or withdraw complaints, to issue penalty orders, to issue administrative compliance orders, to give written notice of a proposed administrative penalty, to issue field citations, and to negotiate and confer with the alleged violator pursuant to the Clean Air Act, to sign consent agreements memorializing settlements between the U.S. Environmental Protection Agency and respondents, and to compromise, modify or remit administrative penalties, except for new source review orders.
- b. To determine jointly with the Attorney General in accordance with the CAA the circumstances under which a matter involving a larger penalty or longer period of violation is appropriate for administrative penalty action.

2. TO WHOM DELEGATED. Director, Enforcement and Compliance Assurance Division.**3. LIMITATIONS.**

- a. Any official exercising any authority in 1.a or 1.b other than issuing field citations must obtain the prior concurrence of the regional counsel or designee.
- b. Any official exercising this authority must submit copies of all administrative complaints, all signed consent agreements and all penalty justification documentation to the assistant administrator for the Office of Enforcement and Compliance Assurance within 20 days from their issuance or signing.

4. REDELEGATION AUTHORITY.

- a. These authorities may be redelegated to the branch chief level, or equivalent, and no further, except that the authority in paragraph 1.a. to negotiate and confer with the alleged violator pursuant to the CAA may be redelegated to staff in assigned cases.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

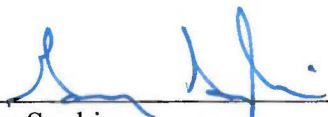
5. ADDITIONAL REFERENCES.

- a. Sections 113(a), 113(d), 113(e), and 205(c) of the CAA.
- b. Emergency administrative orders are covered by Delegation 7-49, "Emergency Powers."

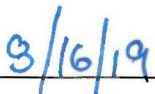
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- c. Section 113(a)(5) new source review orders are covered by Delegation 7-37,
“Administrative Enforcement Actions: New Source Review Orders.”



Gregory Sopkin
Regional Administrator



Date